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HOUSE BILL 1116

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State of Washington

56th Legislature

1999 Regular Session

By Representative Clements

Read first time 03/01/1999.

1 AN ACT Relating to long-term care; and amending RCW 74.39A.170.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 74.39A.170 and 1995 1st sp.s. c 18 s 56 are each  
4 amended to read as follows:

5 (1) All payments made in state-funded long-term care shall be  
6 recoverable as if they were medical assistance payments subject to  
7 recovery under 42 U.S.C. Sec. 1396p and chapter 43.20B RCW, but without  
8 regard to the recipient's age.

9 (2) In determining eligibility for state-funded long-term care  
10 services programs, the department shall impose the same rules with  
11 respect to the transfer of assets for less than fair market value as  
12 are imposed under 42 U.S.C. 1396p with respect to nursing home and home  
13 and community services.

14 (3) It is the responsibility of the department to fully disclose in  
15 advance verbally and in writing, in easy to understand language, the  
16 terms and conditions of estate recovery. The disclosure must include  
17 billing and recovery and copayment procedures to all persons offered  
18 long-term care services subject to recovery of payments.

1       (4) In disclosing estate recovery costs to potential clients and  
2 their family members, the department shall provide a written  
3 description of the community service options. The description must  
4 include supervision, wages, and the costs associated with each care  
5 option offered.

6       (5) To the extent funds are available and in compliance with  
7 federal law, the department is responsible for also notifying the  
8 client, or his or her advocate, quarterly of the types of services  
9 used, charges for services, credit amount of copayment, and the  
10 difference (debt) that will be charged against the estate.

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